



W.P(MD)No.12374 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.05.2023

CORAM

THE HONOURABLE MR. JUSTICE P.VADAMALAI

W.P.(MD).No.12374 of 2023

P.Murugan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Kadayanallur Taluk,
Tenkasi District.

2.The Inspector of Police,
Puliyankudi Police Station,
Puliyankudi,
Tenkasi District.

3.The Sub Inspector of Police,
Chokkampatti Police Station,
Chokkampatti,
Tenkasi District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to give police protection to the Vaigasi Festival at the Poomariyamman Temple situated at Madathupatti, Pambukovilsanthai, Kadayanallur Taluk, Tenkasi District conducted by the petitioner's community on 25th, 26th and 27th of May 2023 as per the petitioner's representation, dated 05.05.2023.



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For Petitioner : M/s.A.Nikitha
For Respondents : Mr.M.Veeranthiran
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the respondent to give police protection to the Vaigasi Festival at Poomariyamman Temple situated at Madathupatti, Pambukovilsanthai, Kadayanallur Taluk, Tenkasi District conducted by the petitioner's community on 25th, 26th and 27th of May 2023 based on the petitioner's representation, dated 05.05.2023.

2. Heard the learned counsel on either side.

3. The petitioner's request for conducting the cultural programme has not been acted upon by the respondent police, which prompted the petitioner to file the present writ petition.

4. In identical circumstances, this Court had been granting permission to conduct cultural program and similar cultural events, to various similarly placed petitioners. In the case of *M.Sakthi Vs. State rep. by the Inspector of*

Police, Odapatti Police Station, Odapatti, Theni District passed in *W.P.(MD)*



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No.8975 of 2017 dated 10.05.2017, a Hon'ble Division Bench of this Court had

granted such a permission, with certain conditions. This Court is of the view that if the same conditions imposed in **M.Sakthi's** case (supra) are imposed to the present writ petitioner, the ends of justice could be secured.

5. Accordingly, there shall be a direction to the third respondent herein to grant permission to the petitioner to conduct Vaigasi Festival on 25.05.2023 to 27.05.2023 at Poomariyamman Temple situated at Madathupatti, Pambukovilsanthai, Kadayanallur Taluk, Tenkasi District, between 8.00 a.m. and 11.00 p.m., subject to the following conditions:

'a)The event shall be conducted in an organised and peaceful manner without causing law and order problem.

b)There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

c)The cultural Program shall be restricted between 8.00 a.m. and 11.00 p.m.

d)If there is any violation of the above said conditions, the respondents or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

e)In case if there is any discrepancy with regard to the date on which the program is to be conducted, it would be open to the respondent police to extend protection on some other day after giving due notice to the petitioner.



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f) in case, there are rival applicants for the same function, it is open to the Inspector of Police/concerned police to hear their objections and take a decision in accordance with the order passed by this Court.'

g) All the participants shall follow the Covid – 19 norms fixed by the Government.

6. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

24.05.2023

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
Speaking/Non Speaking order

Note: Issue order copy on **24.05.2023**

MGA

To

1. The Deputy Superintendent of Police,
Kadayanallur Taluk,
Tenkasi District.
2. The Inspector of Police,
Puliyankudi Police Station,
Puliyankudi,
Tenkasi District.
3. The Sub Inspector of Police,
Chokkampatti Police Station,
Chokkampatti,
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P.VADAMALAI, J.

MGA

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